

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/667,923 Confirmation No.: 1611
Applicant: Lee M. Amaitis et al.
Title: SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS
Filed: September 22, 2003
Art Unit: 3717
Examiner: Lawrence Stefan Galka
Atty. Docket: 03-6161
Customer No. 63710

TRANSMITTAL MAKING EMAIL COMMUNICATIONS OF RECORD

Recognizing that Internet communications are not secure, Applicant previously authorized the USPTO to communicate with any authorized representative concerning any subject matter of this application by electronic mail. Applicant previously pointed out that Applicant understands that a copy of these communications will be made of record in the application file of the present application.

Attached as an Appendix, are email communications, including all attachments, between the undersigned and the Examiner(s) directly relating to prosecution of the present application. By submitting these email communications, Applicant in no way waives, e.g., claims of privilege with respect to email message(s), *if any*, that may have, e.g., been distributed internally and confidentially by Applicants and, e.g., not sent to an addressee at the United States Patent and Trademark Office, but that might include, e.g., some or all of any of the attached email message(s) in the Appendix.

Respectfully submitted,

Dated: February 4, 2011

By: /Christopher D. Agnew/
Christopher D. Agnew
Reg. No. 43,464
cagnew@cantor.com
(857) 413-2050
Customer No: 63710

APPENDIX
TO TRANSMITTAL MAKING EMAIL COMMUNICATIONS OF RECORD

From: Agnew, Christopher
To: "christian.rendon@uspto.gov"
Cc: [Edenbeck, Dean; Pastorelli, David](#)
Subject: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)
Date: Friday, September 11, 2009 12:00:22 PM
Attachments: [03-6161_090911_PTO-4136_Interview_Request.pdf](#)

Dear Examiner Rendon,

Attached please find an interview request that I just filed with the U.S. Patent and Trademark Office. I look forward to speaking with you today, September 11, 2009 at 12:00 P.M. You indicated that you will try to call me at (857) 413-2050. Thank you very much for granting an interview at this stage of prosecution.

Please know that in this case and any other cases that we might work on, I am willing to consider claim amendments and/or claim cancellations that would expedite allowance. I look forward to speaking with you.

Thank you very much.

Authorization for Email Communication

Recognizing that Internet communications are not secure, Applicant hereby authorizes the USPTO to communicate with any authorized representative concerning any subject matter of this application by electronic mail. Applicant understands that a copy of these communications will be made of record in the application file.

Best regards,

/Christopher D. Agnew/
U.S.P.T.O. Registration No. 43,464

Christopher David Agnew
Vice President and Assistant General Counsel
Cantor Fitzgerald, L.P.
125 High Street, 26th Floor
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(857) 413-2050 (Direct)
(857) 413-6727 (Mobile)
(212) 308-7537 (Fax)
cagnew@cantor.com

Applicant Initiated Interview Request Form

Application No.: 10/667,923 First Named Applicant: Lee M. Amaits
 Examiner: Christian E. Rendon Art Unit: 3714 Status of Application: After Final

Tentative Participants:

- (1) Examiner Rendon (2) Christopher D. Agnew, USPTO Reg. No. 43,464
 (3) _____ (4) _____

Proposed Date of Interview: Fri., September 11, 2009 Proposed Time: 12:00 P.M. AM/PM

Type of Interview Requested:

- (1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: _____

Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>35 USC 112 Rej</u>	<u>8, 21</u>	<u>N/A</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>35 USC 102 Rej</u>	<u>Various</u>	<u>Simon</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>35 USC 103 Rej</u>	<u>Various</u>	<u>Simon etc.</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

Brief Description of Argument to be Presented:

Discuss possible alternatives to appeal in the matter. To advance prosecution and obtain early issuance of some subject matter this year rather than forgo the issuance of any subject matter at all this year, Applicants are willing to work with the Examiner and to consider claim amendments and/or claim cancellations that would expedite allowance.

An interview was conducted on the above-identified application on _____.

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

/Christopher D. Agnew/
Applicant/Applicant's Representative Signature
Christopher D. Agnew
Typed/Printed Name of Applicant or Representative
43,464

 Examiner/SPE Signature

Registration Number, if applicable

Privacy Act Statement

The **Privacy Act of 1974 (P.L. 93-579)** requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

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3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (*i.e.*, GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

From: Agnew, Christopher
To: "John.Hotelling@uspto.gov"
Subject: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)
Date: Tuesday, February 02, 2010 5:18:20 PM

Dear Examiner Hotelling,

Thank you for returning my most recent voice mail message of January 22, 2009. I tried to return your call about an hour ago, but an automated message told me that I could not leave a message.

As I mentioned in my messages, I respectfully request an interview to discuss the above patent application prior to your preparation of an Office Action following the Request for Continued Examination filed last year.

I am on my way to Virginia right now and will be visiting the U.S. Patent and Trademark Office on Wednesday and Thursday. Although my schedule is relatively full, I would be very interested in getting together to briefly introduce myself. If you are interested and so inclined, I can also discuss the present application.

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/Christopher D. Agnew/

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Boston, MA 02110
(857) 413-2050 (Direct)
(857) 413-6727 (Mobile)

(212) 308-7537 (Fax)
cagnew@cantor.com

From: Hotaling, John
To: Agnew, Christopher
Subject: RE: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)
Date: Wednesday, February 03, 2010 9:59:32 AM

call me we will work it out and if you can't reach me try my cell 571 278 4574

From: Agnew, Christopher [mailto:CAgnew@cantor.com]
Sent: Tuesday, February 02, 2010 5:18 PM
To: Hotaling, John
Subject: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)

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<http://www.cantor.com/legal/statement>

From: Agnew.Christopher
To: "John.Hotaling@USPTO.GOV"; Agnew.Christopher
Subject: Re: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)
Date: Wednesday, February 03, 2010 10:11:23 PM

Examiner Hotaling,

I apologize; I was tied up in meetings all day. I was in Randolph late in the day and stopped by your office, but you weren't there. I'll try you in the morning. I should be free after 2 PM but may have some time earlier on in the day as well.

Thanks,
Chris Agnew

From: Hotaling, John
To: Agnew, Christopher
Sent: Wed Feb 03 09:59:25 2010
Subject: RE: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)

call me we will work it out and if you can't reach me try my cell 571 278 4574

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Sent: Tuesday, February 02, 2010 5:18 PM
To: Hotaling, John
Subject: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)

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From: Hotaling, John
To: Agnew, Christopher
Subject: RE: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)
Date: Thursday, February 04, 2010 10:14:21 AM

Chris I work from home and am not planning on coming in today but we can still talk about the case or you can call me later and do it when you get back

From: Agnew, Christopher [mailto:CAgnew@cantor.com]
Sent: Wednesday, February 03, 2010 10:11 PM
To: Hotaling, John; Agnew, Christopher
Subject: Re: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)

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Subject: Re: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)
Date: Thursday, February 04, 2010 11:58:50 AM

That's fine--let's please have a call to discuss in the near future. Thank you.
Chris

From: Hotaling, John
To: Agnew, Christopher
Sent: Thu Feb 04 10:12:44 2010
Subject: RE: Application Serial No. 10/667,923 SYSTEM AND METHOD FOR BETTING ON A PARTICIPANT IN A GROUP OF EVENTS (Atty. Docket No. 03-6161)

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